

Scott L. Mullins, OSB No. 142504
Mullins Law Office, LLC
scott@slmullins.com
1000 SW Broadway St., Suite 2300
Portland, Oregon 97205
Telephone: (971) 383-1315
Facsimile: (503) 525-4833

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No.: 3:20-cr-00501-SI-1

Plaintiff,

DECLARATION OF SCOTT MULLINS
IN SUPPORT OF DEFENDANT'S
UNOPPOSED MOTION TO CONTINUE
TRIAL DATE

v.

TY JOHN FOX,

Defendant.

I, Scott Mullins, hereby declare as follows:

1. I was appointed to represent defendant Ty John Fox pursuant to the Criminal Justice Act on September 21, 2021. I am Mr. Fox's second lawyer. Mr. Fox is charged with a single count of violating 18 USC 231(a)(3). He was arraigned on or about October 23, 2020. His current trial date is February 1, 2022.

2. On November 19, 2021, I communicated with Peggy Kuhn, the Veteran Justice Outreach Coordinator, concerning Mr. Fox. On or about November 23, 2021, I emailed Deputy DA James Kim and Mr. Fox's state defense lawyer, Nedu Nweze, about resolving the state charges. Mr. Nweze advised me that he was working on scheduling a Judicial Settlement Conference with Judge Ramras.

3. On December 9, 2021, Mr. Fox had a docket call in the state case. That same day, I asked Mr. Nweze for a status. Mr. Nweze advised me that Mr. Fox was scheduled for Judicial Settlement Conference on December 30, 2021.

4. Since being appointed, I have provided various updates to AUSA Thomas Ratcliffe concerning Mr. Fox's state cases, including the notice about the JSC. On December 13, 2021, Mr. Ratcliffe advised me that he was not opposed to a 60-day continuance from the trial date in this matter.


5. On or about December 3, 2021, the Government produced additional discovery.

6. On December 9, 2021, I spoke with Mr. Fox at MCDC, where he is held. In our call, I again advised Mr. Fox of his rights to a speedy trial pursuant to the Constitution and by statute and he agreed to waive his rights to a speedy trial for the duration of continuance allowed by the Court, should the motion to continue be granted.

I hereby declare under the penalty of perjury that the above statement is true to the best of my knowledge.

Dated: December 13, 2021.

Mullins Law Office, LLC

By: 
Scott L. Mullins, OSB #142504

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